

REMARKS

The Office has restricted the present application as follows:

Group I – Claims 1-13 and 20-24;

Group II – Claims 14-19;

Group III – Claims 25 and 26;

Group IV – Claims 27, 28 and 31-37; and

Group V – Claims 29 and 30.

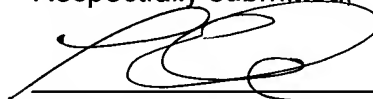
Applicants elect, with traverse, Group I – Claims 1-13 and 20-24.

Restriction is only proper if the identified groups are independent or distinct. The burden is on the Office to provide reasons and/or examples to support its conclusion that the identified groups are independent or distinct. M.P.E.P. § 803.

The Office has characterized the relationship between Group I and Groups II, III, IV and V, as process of making and product made. Citing M.P.E.P. § 806.05(f) the Office has asserted that the product as claimed could be made by a materially different process “such as a providing, mixing, heating, heating with mixing, and molding.” Applicants are uncertain as what exactly is this other process, and how it differs from the claimed process (which includes forming a mixture, subjecting the mixture to a first heating and subjecting the mixture to a second heating). Furthermore, the Office has failed to provide reasons and/or examples to support its conclusion that this proposed alternative process is materially different from the process as claimed – note, for example, that the proposed alternative process appears to include all the elements of the claimed process. Accordingly, applicants submit that the office has failed to provide reasons and/or examples to support its conclusion that the product as claimed could be made by a materially different process.

Applicants submit that the Office has failed to meet the burden needed to sustain the Restriction Requirement. Withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'P. Rauch', written over a horizontal line.

Paul E. Rauch, Ph.D.
Registration No. 38,591

Evan Law Group LLC
566 West Adams
Suite 350
Chicago, Illinois 60661
(312) 876-1400